

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:22-cv-203-JRG
)	
MICRON TECHNOLOGY, INC.; MICRON)	JURY TRIAL DEMANDED
SEMICONDUCTOR PRODUCTS, INC.;)	
MICRON TECHNOLOGY TEXAS LLC,)	
)	
Defendants.)	
)	

**DEFENDANTS’ NOTICE OF DETERMINATIONS FROM RELATED PROCEEDINGS
RELEVANT TO DEFENDANTS’ PENDING MOTION TO STAY (ECF 80)**

Pursuant to this Court’s Standing Order Requiring Notice of Relevant Determinations from Related Proceedings, Defendants respectfully file this notice of recent events. Earlier this week, the Patent Trial and Appeal Board (“PTAB”) issued Final Written Decisions finding every claim unpatentable in Netlist’s U.S. Patent Nos. 10,860,506 (the “’506 patent”) and 10,949,339 (the “’339 patent”). *Samsung Elec. Co., Ltd., et. al. v. Netlist, Inc.*, IPR2022-00711, Paper 42 at p. 33 (PTAB Oct. 17, 2023) (determining claims 1–20 of the ’506 patent have been shown unpatentable) (Hopkins Decl., Ex. A); *Samsung Elec. Co., Ltd., et. al. v. Netlist, Inc.*, IPR2022-00639, Paper 45 at p. 64 (PTAB Oct. 18, 2023) (determining claims 1–35 of the ’339 patent have been shown unpatentable) (Hopkins Decl., Ex. B). Defendants identify these results as relevant and weighing in favor of the Motion to Stay Pending IPR (the “Motion”) that Defendants filed on May 19, 2023 (ECF 80). In the Motion, Defendants identified that they anticipate Final Written Decisions for the ’506 and ’339 patents by October 19–21, 2023. ECF 80 at 8. Defendants also explained that

the PTAB will issue Final Written Decisions for the remaining asserted patents no later than the following dates:

IPR Case No.*	Challenged Patent	Final Written Decision
IPR2023-00406	US11016918	December 7, 2023
IPR2023-00405	US11232054	December 6, 2023
IPR2022-01428	US8787060	April 12, 2024
IPR2022-01427	US9318160	April 12, 2024

ECF 80 at 8.

Trial is currently set for January 22, 2024. Defendants respectfully renew its request that the Court stay the case to conserve judicial and party resources.

Dated: October 20, 2023

Respectfully submitted,

By: /s/ Michael R. Rueckheim

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* The IPR Case Nos. refer to Samsung-Netlist IPR proceedings, which Micron has filed a copy-cat petition and a motion to join in each proceeding.

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**PRODUCTS, INC., AND
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CERTIFICATE OF SERVICE

I certify that, on October 20, 2023, a copy of the foregoing was served on all counsel of record via the Court's ECF system and email.

/s/ Mike Rueckheim
Mike Rueckheim